

Atty's 8765TM-OPP

Opposition no.: 91165598

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**8765TM-OPP**

**IN THE U.S. PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

**TTAB**

**SARA LEE CORPORATION  
Opposer**

**V.**

**Opp. No.: 91165598**

**GAFITEX S.R.L.  
Applicant**

**In re App. No. 78/197,414  
Published 20 July 2004  
Mark: TEXENERGY & DESIGN  
Classes: 24, 25**

**To the Hon. Asst. Comm. Of Trademarks  
P.O. Box 1451  
Arlington, VA 22313-1451**

**MOTION TO SUSPEND OPPOSITION**

Applicant GAFITEX S.R.L. with the express consent of Opposer's counsel Randel Springer, Esq., moves for a further three month suspension of all terms in this opposition proceeding. Consistent with the TTAB communication of November 10, 2005, the suspension includes a new term for Applicant to file an Answer to the Notice of Opposition as well as new terms



02-27-2006

U.S. Patent & TMO/TM Mail Rpt Dt. #72

for all discovery and trial dates. Opposer and Applicant are continuing settlement negotiations and need more time to see if an agreement can be reached. Furthermore Opposer has changed the attorney of record from Anne Fleeson, Esq. to Randel Springer, Esq., and Mr. Springer needs more time to analyze the proceedings.

The new terms are as follows:

Proceedings Resume

April 27, 2006

Applicant's Answer to  
Notice of Opposition due

May 26, 2006

Discovery Period to Close

July 25, 2006

Thirty Day Testimony Period  
for Party in Position of Plaintiff  
to Close

October 25, 2006

Thirty Day Testimony Period  
for Party in Position of Defendant  
to Close

December 24, 2006

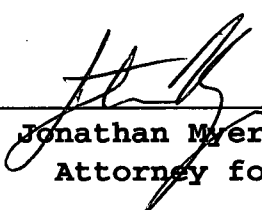
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**Fifteen Day Rebuttal Testimony  
Period to Close**

**February 8, 2007**

**Respectfully submitted,  
The Firm of Karl F. Ross P.C.**

  
By: Jonathan Myers, Reg. No. 26,963  
Attorney for Applicant

February 23, 2006  
5676 Riverdale Avenue Box 900  
Bronx, NY 10471-0900  
Cust. No.: 535  
Tel: (718) 884-6600  
Fax: (718) 601-1099  
ge/

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing MOTION TO SUSPEND OPPOSITION was sent via First Class Mail, postage prepaid, to Opposer's attorney, Randel Springer, Esq., Sara Lee Corporation, Intellectual Property Law Department, 1000 East Haines Mill Road, Winston-Salem, NC 27105.

23 Feb. 2006

Dated

  
Jonathan Myers